

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ROBERT L. WILLIAMS,

C 14-1290 CW (PR)

Plaintiff,

ORDER DISMISSING
CASE AS DUPLICATIVE
OF CASE NUMBER C 13-
2302 CW (PR)

J. ROBERTSON, Officer of San Leandro Police Department,

Defendant.

Plaintiff, who is housed at the Washoe County Jail in Reno, Nevada, has filed this civil rights matter under 42 U.S.C. § 1983 against Officer J. Robertson of the San Leandro Police Department. Plaintiff's brief allegation states, "Police Officer J. Robertson searched my vehicle as one of the officers on the scene, without my permission and not knowing whether I was on probation or parole."

In a previous civil rights case filed with this Court on May 13, 2013, Williams v. City of San Leandro, No. C. 13-2302 CW (PR), Plaintiff alleged that Officer Mund and other officers of the San Leandro Police Department improperly searched his vehicle. On December 5, 2013, the Court issued an Order of Service of a Fourth Amendment claim against Officer Mund. Officer Mund has filed a motion for summary judgment, Plaintiff has filed an opposition and Officer Mund has filed a reply.

1 Plaintiff's present case is duplicative of his previous case,
2 except that Plaintiff has named another officer involved in the
3 allegedly unconstitutional search. Plaintiff may not file
4 duplicative actions regarding the same event. If Plaintiff has
5 just discovered the name of this second officer, the proper
6 procedure is to file a motion to file an amended complaint in Case
7 No. C 13-2302 CW (PR) indicating the reasons for his late
8 discovery of this second officer.

9 Therefore, this case is dismissed as duplicative of Case No.
10 C 13-2302 CW (PR). The Clerk of the Court shall not charge
11 Plaintiff a filing fee for this case. The motion to proceed in
12 forma pauperis, doc. no. 2, is denied as moot.

13 IT IS SO ORDERED.

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15 Dated: 4/14/2014


CLAUDIA WILKEN
United States District Judge

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